

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NATIONAL CREDIT UNION ADMINISTRATION      :
BOARD, etc.,                               :
                                           :
                                Plaintiff,    :
                                -v-          :
                                           :
MORGAN STANLEY & CO., et al.,             :
                                           :
                                Defendants.   :
                                           :
And other NCUA Actions.                   :
-----X

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13cv6705 (DLC)
13cv6719 (DLC)
13cv6721 (DLC)
13cv6726 (DLC)
13cv6727 (DLC)
13cv6731 (DLC)
13cv6736 (DLC)

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

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NATIONAL CREDIT UNION ADMINISTRATION      :
BOARD, etc.,                               :
                                           :
                                Plaintiff,    :
                                -v-          :
                                           :
RBS SECURITIES, INC., f/k/a GREENWICH     :
CAPITAL MARKETS, INC., et al.,           :
                                           :
                                Defendants.   :
                                           :
And other NCUA Actions.                   :
-----X

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11cv2340 (JWL)
11cv2649 (JWL)
12cv2591 (JWL)
12cv2631 (JWL)
12cv2648 (JWL)
13cv2418 (JWL)

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

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NATIONAL CREDIT UNION ADMINISTRATION      :
BOARD, etc.,                               :
                                           :
                                Plaintiff,    :
                                -v-          :
                                           :
RBS SECURITIES, INC., f/k/a GREENWICH      : 11cv5887 (GW)
CAPITAL MARKETS, INC., et al.,             : 11cv6521 (GW)
                                           :
                                Defendants.   : ORDER
                                           :
And other NCUA Actions.                    :
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HON. DENISE COTE, HON. JOHN W. LUNGSTRUM, and HON. GEORGE H. WU,
District Judges; and HON. JAMES P. O'HARA, Magistrate Judge:

On June 4, 2015, the Northern District of Illinois transferred to the Southern District of New York former RBS employee James Whittemore's motion to quash a deposition subpoena. On June 8, NCUA submitted a letter requesting that it be given until noon (EDT) on June 11 to file, consistent with the procedures outlined in § 2 of the Master Discovery Protocol ("MDP") entered in these Coordinated Actions, its opposition to the motion. According to NCUA, Whittemore's counsel has confirmed that he intends to proceed with the motion and to stand on the papers filed in the Northern District of Illinois, which NCUA attached to its letter. Accordingly, it is hereby

ORDERED that the transfer of the Whittemore motion is accepted as one made pursuant to § 2 of the MDP. To the extent it has not already done so, NCUA shall promptly file its own and

all of Whittemore's submissions to date in each of our three districts.

IT IS FURTHER ORDERED that NCUA's opposition is due **June 11 at noon (EDT)**.

IT IS FURTHER ORDERED that any reply by Whittemore is due **June 15 at noon (EDT)**. In the normal course, discovery disputes between the parties in these Coordinated Actions have been resolved on the basis of one submission by the party raising the dispute and one responsive submission from the adverse party (or parties); generally, replies by the party raising the dispute have not been required or accepted. Because Whittemore's motion is a formal motion made by a nonparty, however, he is given the opportunity to submit a reply. As Whittemore's counsel entered a June 10 notice of appearance on ECF in the lead action in the

Southern District of New York, No. 13cv6705 (DLC), Dkt. No. 320, Whittemore's counsel shall file any reply on that docket. Judge Cote will promptly forward any submission to the other Judges.

Dated: June 10, 2015 /s/ Denise Cote
United States District Judge

Dated: June 10, 2015 /s/ George H. Wu
United States District Judge

Dated: June 10, 2015 /s/ John W. Lungstrum
United States District Judge

Dated: June 10, 2015 /s/ James P. O'Hara
United States Magistrate Judge